

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

RICHARD M. ZELMA,

Plaintiff,

v.

JOHNATHAN SEIBERT, *et al.*,

Defendants.

Case No. 20-cv-20595-KM-ESK

ORDER

THIS MATTER having come before the Court pursuant to Rule 16 of the Federal Rules of Civil Procedure; and the parties having reviewed the Court's Civil Case Management Order and Local Rules; and defendants Vision Solar, LLC and Johnathan Seibert having filed a motion to dismiss on January 20, 2021 (Motion) (ECF No. 10); and plaintiff having filed an opposition to the Motion on February 3, 2021 (ECF No. 12); and for the reasons stated on the record,

IT IS on this **9th** day of **February 2021** **ORDERED** that:

1. The Motion (**ECF No. 10**) is administratively terminated. The Clerk of the Court is directed to terminate the Motion at ECF No. 10.

2. Plaintiff is granted leave to file an amended complaint by **February 26, 2021**.

3. A telephone status conference is scheduled for **May 7, 2021 at 10:00 a.m.** before Magistrate Judge Edward S. Kiel. The dial in number is 1-888-684-8852 and the access code is 310-0383#. The parties shall file a joint letter, at least three business days before the conference advising of the status of discovery, any pending motions, and any other issues to be addressed.

4. The parties shall meet and confer for an e-discovery conference pursuant to Local Rule 26.1(d) by **February 12, 2021**.

5. Fact discovery is to remain open through **April 2, 2021**. All depositions of fact witnesses must be completed by the close of fact discovery. No fact discovery is to be issued or engaged in beyond that date, except for good cause shown.

6. Motions to add new parties, whether by amended or third-party complaint, and motions to amend pleadings must be filed no later than **April 2, 2021**.

7. The parties may serve initial written discovery requests on or before **February 11, 2021**. Interrogatories shall be limited to **25** single questions, inclusive of subparts.

8. The number of depositions to be taken by each side shall not exceed 4.

9. The parties are directed to Rule 26(f) and Local Rule 26.1, which address preservation of discoverable information, discovery of electronically stored information, claims of privilege or work product protection, and the obligations of counsel concerning their clients' information management systems.

10. The parties are directed to the Court's Civil Case Management Order for procedures concerning discovery disputes, motion practice, and requests for extensions and adjournments.

11. All affirmative expert reports shall be served by **April 16, 2021**. All responsive expert reports shall be served by **April 30, 2021**. Depositions of all experts shall be completed by **May 30, 2021**. All expert reports shall comport with the form and content requirements set forth in Rule 26(a)(2)(B). No expert may testify at trial as to any opinions or facts not substantially disclosed in the expert's report.

12. Proposed confidentiality orders, submitted upon the consent of the parties, must comply with Rule 26(c), Local Rule 5.3, and applicable case law. Please also refer to the Court's Civil Case Management Order.

/s/ Edward S. Kiel
EDWARD S. KIEL
UNITED STATES MAGISTRATE JUDGE